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April 10, 2017

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 69 – March 2017
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report (MPR) for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Newtown Creek Group (NCG) Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by NCG Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

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1. Actions Taken to Comply with Settlement Agreement during Previous Month

- A teleconference call to discuss options for collecting sediment cores from below the loading dock area of the National Grid property was held with USEPA on March 3. On March 6, as a follow up to the March 3 teleconference call, USEPA suggested via e-mail the possibility of using a mini roto sonic rig to collect cores below the dock and recommended exploring this option further.
- A request to schedule follow-up discussions on the draft Baseline Ecological Risk Assessment (BERA) Dispute Resolution (dated December 22, 2016) was submitted to USEPA on March 2. Specifically, the request included scheduling of a teleconference call on March 7 and an in-person wrap-up meeting in New York City (NYC) on March 14. USEPA agreed via e-mail with this request on March 2. The teleconference call was held as planned on March 7.
- A teleconference call to discuss and clarify USEPA's comments on the hydrodynamic and sediment transport models presented in the draft Remedial Investigation Report (RI Report) (dated February 17) was held with USEPA on March 7.
- A request for a letter summarizing items to be included in the BERA Dispute Resolution and proposed language to resolve previously disputed items that have or will be potentially resolved was requested by USEPA on March 8. This summary letter was submitted to USEPA on March 9. On March 21, in response to this summary letter, USEPA reiterated via e-mail the agreement made during the February 17 teleconference call between USEPA and New York State Department of Environmental Conservation (NYSDEC) that DDx and aldrin/dieldrin water quality criteria (WQC) values should be included in the Screening Level Ecological Risk Assessment (SLERA) but that the WQC that the NCG utilized in the draft BERA were appropriate. The e-mail also stated that a thorough discussion of the bioavailability of these and other bioaccumulative and persistent compounds and their presence in biotas tissue should be detailed in the risk characterization section.
- A request to delay the March 14 in-person BERA Dispute Resolution wrap-up meeting due to a severe storm predicted for the NYC area that day was submitted to USEPA on March 12. On March 13, USEPA agreed and the meeting was rescheduled for March 21. The March 21 wrap-up meeting was held as planned. On March 28, USEPA extended the Dispute Resolution negotiation period to April 4.

- A request that the NCG project managers participate in the weekly update calls with USEPA was submitted via e-mail on March 9. USEPA approved this request via e-mail on March 15.
- A draft memorandum describing the cross-sectional flow modeling was submitted via e-mail to USEPA on March 14. The modeling files used during this evaluation were provided via e-mail to USEPA on March 15.
- A schedule for submitting the draft Feasibility Study Field Program Work Plan in two parts was submitted via e-mail to USEPA on March 15. This schedule indicated that Part 1 would include the groundwater and shoreline erosion sampling components and be submitted on March 17, and Part 2 would include all other FS sampling components (i.e., nonaqueous phase liquid [NAPL] refinement and mobility, gas ebullition, and geotechnical) and be submitted on April 14. On March 16, USEPA requested that a full FS field schedule be submitted by March 24 to facilitate USEPA's review of the NCG submission schedule. This FS field schedule was submitted to USEPA on March 24.
- A response to USEPA's February 17 e-mail regarding the FS biota tissue sampling was submitted to USEPA on March 16. This response stated that the NCG was in general agreement with USEPA, except it requested that the final analyte list to be used for this program be discussed further prior to program implementation. The response also clarified that the pesticides dieldrin and heptachlor epoxide have not been identified as risk drivers in the draft Baseline Human Health Risk Assessment (BHHRA).
- The draft Feasibility Study Work Plan was submitted via e-mail to USEPA on March 16.
- The draft Feasibility Study Field Program Work Plan – Part 1, which describes the FS groundwater and shoreline erosion sampling programs, was submitted via e-mail to USEPA on March 17.
- A teleconference call to discuss and clarify USEPA's comments on two BHHRA-related issues was held with USEPA on March 23. The two issues included: 1) how to cite in the BHHRA the separate NCG risk assessment submittal that will be prepared and submitted to USEPA; and 2) language regarding future risks associated with the recreational child exposure pathway for the BHHRA. On March 29, the NCG provided draft language regarding future risks associated with the recreational

child exposure pathway for the BHHRA for USEPA consideration. On March 30, USEPA provided responses to the two BHHRA issues, including: 1) specific language for inclusion in the BHHRA regarding how USEPA has directed the use of conservative assumptions in the BHHRA that likely overestimate risks and that the NCG will be submitting an additional document that describes the NCG's preferred assumptions and approach; and 2) specific language adjustments to text in the Uncertainty Section of the BHHRA regarding exposures to children who utilize the Study Area for recreational activities. The response also included specific edits to be made to a figure included in the BHHRA. On March 30, the NCG responded to the USEPA responses: 1) indicating disagreement with USEPA language edits for the Uncertainty Section of the BHHRA; 2) requesting a teleconference call to discuss an alternate approach to modifying the figure for the BHHRA; and 3) based on these recent interactions on these two issues, requesting an extension to April 17 for submitting the revised BHHRA to USEPA.

2. Results of Sampling and Tests and Other Data Received by NCG Respondents during Previous Month

- None.

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- The NCG has repeatedly requested information from the City of New York that is needed to complete the RI/FS. For example, the NCG requested information regarding groundwater infiltration into sewers in February 2015, and the City of New York indicated this information would be provided in February 2016, but nothing has been provided. In an e-mail dated November 1, 2016, USEPA indicated it will wait until after completing its review of the draft RI Report to determine whether the requested information is needed to complete the RI/FS.

4. Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion

- USEPA's BERA Dispute Resolution Determination Letter is due on April 4. The submittal date for the revised BERA report will be included in this Dispute Resolution Determination Letter.
- Project update meetings are scheduled with USEPA for April 6 and May 11.
- The revised BHHRA is due to USEPA on April 7.
- The Feasibility Study Field Program Work Plan – Part 2, which describes the FS NAPL refinement and mobility, gas ebullition, and geotechnical programs, is due to USEPA on April 14.
- USEPA comments on the draft RI Report are due to the NCG on April 28.
- The FS field program is currently scheduled to begin in May.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,



Jim Quadrini, P.E., BCEE
Anchor QEA, LLC

cc: Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents
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